

Regular Session, 2010

HOUSE BILL NO. 99

BY REPRESENTATIVE ROSALIND JONES

ETHICS/BOARD: Provides with respect to the nomination and selection of members of the Board of Ethics

1 AN ACT

2 To amend and reenact R.S. 42:1132(B)(2)(introductory paragraph) and (a)(i), relative to the  
3 Board of Ethics; to provide relative to the nomination and selection of members of  
4 the Board of Ethics; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 42:1132(B)(2)(introductory paragraph) and (a)(i) are hereby  
7 amended and reenacted to read as follows:

8 §1132. Board of Ethics

9 \* \* \*

10 B. Membership; terms; vacancies; qualifications.

11 \* \* \*

12 (2) The governor shall appoint and the House of Representatives and the  
13 Senate shall elect members to the board ~~who shall be representative of the state's~~  
14 ~~population as near as practicable and who shall be from nominees who are selected~~  
15 in accordance with R.S. 42:2.1 as follows:

16 (a)(i) The presidents of Centenary College of Louisiana, Dillard University  
17 at New Orleans, Louisiana College, Loyola University at New Orleans, Our Lady of  
18 Holy Cross College at New Orleans, Our Lady of the Lake College at Baton Rouge,  
19 Xavier University of Louisiana at New Orleans, and Tulane University shall  
20 constitute the nominating committee. The nominating committee shall, within sixty

1 days of a vacancy on the board, submit the names of no less fewer than ~~three names~~  
2 ~~of three~~ five different eligible nominees for each position or vacancy to the governor,  
3 Senate, or House of Representatives, whichever is appropriate. In preparing the list  
4 of nominees, the nominating committee shall give due consideration to the  
5 demographics of the population of the state, including without limitation geography,  
6 gender, and race. A majority vote of the membership of the nominating committee  
7 shall be required to nominate persons to positions on the board.

\* \* \*

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Rosalind Jones

HB No. 99

**Abstract:** Requires that due consideration be given to the demographics of the population of the state, including without limitation geography, gender, and race, in the nomination and selection of members of the Board of Ethics.

**Present law** (R.S. 42:1132) provides procedures for selecting the 11 members of the Board of Ethics. Provides that the governor appoints seven members subject to Senate confirmation. Provides that at least one such member be appointed from each congressional district. Provides further that the House of Representatives and Senate each elect two members to the board.

Proposed law retains present law.

Present law requires the governor, House of Representatives, and Senate to select members who are "representative of the state's population as near as practicable". Proposed law repeals present law and instead expressly provides that members shall be selected in accordance with present law (R.S. 42:2.1), which requires an appointing authority to give due consideration to the demographics of the population of the state, including without limitation geography, gender, and race, in making appointments to any board, commission, council, authority, or other similar entity that has statewide jurisdiction.

Present law provides that members of the Board of Ethics are selected from nominations made by a nominating committee consisting of the presidents of certain private universities. Provides time limits for the submission of the names of nominees to the appropriate appointing authority. Requires the nominating committee to provide no fewer than three nominees for each vacancy.

Proposed law increases the number of nominees that must be submitted for each vacancy to no fewer than five. Provides that the nominating committee shall give due consideration to the demographics of the population of the state, including without limitation geography, gender, and race. Otherwise retains present law.

(Amends R.S. 42:1132(B)(2)(intro. para.) and (a)(i))